

REMARKS

Favorable reconsideration and allowance of the subject application are respectfully requested in view of the following remarks.

Summary of the Office Action

The drawings stand objected to.

Claims 1, 2, 5 and 6 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Liu et al.* (U.S. Patent No. 6,352,896).

Summary of the Response to the Office Action

Applicant has amended the specification, canceled claims 1 and 2 without prejudice or disclaimer, and amended claim 5 by this amendment. Accordingly, claims 3-8 are currently pending, with claims 5 and 6 currently under consideration.

Objection to the Drawings

The drawings stand objected to because allegedly they do not show the wordline as set forth in the claims.

Applicant respectfully submits that the drawings do show every feature of the invention specified in the claims. For instance, it is respectfully submitted that elements referred to as '53' in FIGs. 5A and 5B are word lines. Also, see the corresponding discussion beginning at page 6, line 1, of the specification. Thus, Applicant respectfully submits that the drawings satisfy the requirements set forth under 37 C.F.R. §1.83(a). Accordingly, withdrawal of the objection to the drawings is respectfully requested.

Claim Rejections Under 35 U.S.C. §102(e)

Claims 1, 2, 5 and 6 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Liu et al.*

With regard to claims 1-2, Applicant respectfully requests withdrawal of the rejection of claims 1-2, as the cancellation of claims 1-2 renders the rejection moot.

With regard to claims 5-6, to the extent that the rejection might be applied to the claims as newly-amended, it is respectfully traversed for at least the following reasons.

Applicant respectfully submits that *Liu et al.* does not anticipate claims 5-6 because *Liu et al.* does not disclose all of the features of claims 5-6. For instance, it is respectfully submitted that *Liu et al.* fails to teach or suggest the claimed combination as set forth in independent claim 5, as newly-amended, including at least “forming an insulating film spacer on a sidewall of said conductive layer patterns, which are exposed by the removing said interlayer dielectric film.”

The Office Action appears to assert that the step of forming the dielectric layer (232) as taught by *Liu et al.* corresponds the method including forming an insulating film spacer, as set forth in claim 5. In particular, the Office Action states that “[i]n figure 9 [of *Liu et al.*], there is an insulating film spacer 232 on the sidewall of the conductive layer bitline pattern 230 and an interlayer dielectric film 232 and 236 on the entire surface of the semiconductor device.”

Paragraph 7, lines 7-9 of the Office Action. However, as shown in FIGs. 6A and 6B, *Liu et al.* appears to show forming the dielectric layer (232) as a blanket dielectric layer over the insulation layer (224) and the bit line contact (228) and then patterning the dielectric layer (232) to form trenches (234), wherein a bit line (230) is formed. Also, see column 5, lines 3-15 of *Liu et al.* That is, *Liu et al.*'s dielectric layer (232) appears to be formed before the formation of a bit line

(230). Thus, for at least the above-mentioned reasons, it is respectfully submitted that *Liu et al.* does not teach or suggest forming an insulating film spacer on a sidewall of conductive layer patterns, which are exposed by the removed interlayer dielectric film, as set forth in Applicant's claimed combination.

In addition, with regard to the dielectric film (236), *Liu et al.* appears to disclose that after forming the bit line (230) inside the trenches (234), the dielectric layer (232) is etched to form a bowl-shaped opening (234a). See FIG. 6C and column 5, lines 30-34 of *Liu et al.* Then, as shown in FIG. 6D of *Liu et al.*, "[h]ard material 236...is deposited into the bowl-shaped openings 234a... Some of the hard material 236 is deposited over the dielectric layer 232." Column 5, lines 34-37 of *Liu et al.* That is, *Liu et al.*'s hard material (236) appears to be formed directly above the bit line (230), not as a sidewall to the bit line (230). Thus, for at least the above-mentioned reasons, it is further respectfully submitted that *Liu et al.* still does not teach or suggest forming as an insulating film spacer on a sidewall of conductive layers, which are exposed by the removed interlayer dielectric film, as set forth in Applicant's claimed invention. Accordingly, Applicant respectfully submits that that *Liu et al.* fails to teach or suggest the claimed combination as set forth in independent claim 5, as newly-amended, including at least "forming an insulating film spacer on a sidewall of said conductive layer patterns, which are exposed by the removed interlayer dielectric film."

M.P.E.P. § 2131 states "[t]o anticipate a claim, the reference must teach every element of the claim." Applicant respectfully submits that since *Liu et al.* does not teach or suggest all of the features of independent claim 5, *Liu et al.* does not anticipate claim 5. Further, since claim 6 depends from claim 5, it is respectfully submitted that *Liu et al.* also does not anticipate claim 6.

Accordingly, withdrawal of the rejection of claims 5-6 under 35 U.S.C. §102(e) is respectfully requested.

Conclusion

In view of the foregoing, withdrawal of the rejections and allowance of the pending claims are earnestly solicited. Should there remain any questions or comments regarding this response or the application in general, the Examiner is urged to contact the undersigned at the number listed below.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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